



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF THE
REGIONAL
ADMINISTRATOR

MAR 15 2011

John Shively
Chief Executive Officer
Pebble Limited Partnership
302 C Street, Suite 604
Anchorage, Alaska 99503

Dear Mr. Shively:

As we have discussed, the Environmental Protection Agency, Region 10 (EPA) has begun an assessment of the Bristol Bay Watershed. During the past year, a number of tribes, tribal entities and other groups in Southwest Alaska requested that EPA initiate review of metallic sulfide mining in the Bristol Bay watershed utilizing our authorities pursuant to Section 404(c) of the Clean Water Act. Other Alaska Tribes, tribal entities and groups have requested that we not take action under Section 404(c) and instead use the standard Clean Water Act permitting process to evaluate mining operations in the Bristol Bay watershed. I believe a Watershed Assessment is consistent with these requests and provides an effective and timely opportunity to evaluate the resources at Bristol Bay and identify options for assuring protection for the Watershed's valuable commercial and subsistence salmon fisheries.

On February 7, 2011, I sent you EPA's "Outline of the Development of EPA's Bristol Bay Watershed Assessment," which briefly describes the process EPA intends to use to better understand the resources at issue, and to identify options to protect these resources. Specifically, EPA plans to characterize the risks of large-scale developments on the Bay's water quality and salmon fishery, and evaluate measures to protect the watershed and ensure the sustainability of the fishery.

One issue that EPA has been asked to evaluate is the possible adverse impacts to the Bristol Bay watershed from potential large-scale hardrock mining projects, such as the proposed Pebble Mine. In previous discussions, you expressed a willingness to share baseline environmental data and analysis that the Pebble Limited Partnership (PLP) has gathered and conducted on the Bristol Bay watershed. We very much appreciate PLP's willingness to share this information. The data will complement existing information that collectively characterizes current conditions of the watershed, thereby facilitating a more accurate watershed assessment. Information about the proposed mine plan would also be helpful for our assessment.

Specifically, my staff has developed a list of information we would like to request in order to inform our watershed assessment. A list of this information is enclosed with this letter. We understand that the request includes a great deal of information. However, as discussed above, we believe this information would aid in the development of a more robust analysis. We would be happy to discuss the most appropriate format for the data or answer any questions you have regarding this request. Based on the information submitted, we may request additional information if it is available. We are requesting that your response be provided, if possible, by March 31, 2011. You may feel free to provide your response in pieces if that is more convenient.

EPA intends for the Bristol Bay Watershed Assessment process to be open, transparent, and grounded in science. We have invited federal, state and tribal governments to assist us in performing our assessment, and are also requesting specific watershed information from them. We plan to involve the public in addressing critical questions and issues about the watershed. We hope to work with PLP throughout the process and to coordinate with you on the assessment and possible outcomes from our work.

I received a letter from you on Wednesday, March 9 seeking additional information from EPA about the Bristol Bay Watershed Assessment. Although EPA intends to respond to your letter in the near future, it would be very helpful if you could provide us with the requested information in the time specified—by the end of March. The information that you share will help EPA develop a watershed assessment that is high quality, collaborative, and scientifically sound.

If you have any questions or concerns, please feel free to contact me or have your staff contact Rick Parkin, EPA's Associate Director for the Office of Ecosystems, Tribal and Public Affairs, and the Management Lead for the Bristol Bay Watershed Assessment project. Rick can be reached at (206) 553-8574. Thank you in advance for your cooperation and assistance in this very important effort.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis J. McLerran", written over a horizontal line.

Dennis J. McLerran
Regional Administrator

Enclosure

Enclosure

EPA is requesting that PLP provide the following information to EPA for use and analysis in EPA's Bristol Bay Watershed Assessment. We would like to receive all data in Excel or Access format with data sampling sites and/or mapping data, geodatabases and shapefiles. We would also like to receive any information that enables different types of information to be linked.

- A list of all baseline data reports and additional analysis performed for the proposed Pebble Project. This is needed so that we are aware of the universe of information regarding the watershed and resources.
- All monitoring results and any available synthesis or analysis of:
 - o surface water hydrology and geochemistry including:
 - sample locations including GIS format and shapefiles of polygons for catchment areas of each sample site,
 - sample site description,
 - sampling date and stream discharge for each sample,
 - water chemistry results including unstable "field" parameters such as pH, SC, ORP, DO, aqueous cations (major, minor and trace), anions, alkalinity, acidity and DOC,
 - stream flow data,
 - groundwater well/boring log data and well monitoring data;
 - o fish distribution and ecology;
 - o aquatic habitat descriptions and delineation;
 - o wetlands classification, delineation and functional assessment;
 - o stream sediment geochemistry including:
 - grain size analysis,
 - mineralogy,
 - bulk geochemistry,
 - SEM/AVS,
 - organic carbon analysis;
 - o geochemistry including:
 - bulk geochemical results for all solids used in Kenetic tests including ABA results from the benchtop and in the field, both tailings type and waste rock,
 - geologic drill logs for cores used in metallurgical tests, to produce tailings materials and including assay results,
 - mineralogical and geochemical analysis of any concentrates produced during metallurgical testing,
 - leachate analytical results from kinetic tests including unstable "field" parameters such as pH, SC, ORP, aqueous cations (major, minor, trace) anions, alkalinity and acidity
 - supporting information to enable these different types of information to be linked,
 - QA/QC results for kinetic tests;

- slope stability and soil erosion proneness.
- Any information about the proposed mine plan during construction, operations, and closure. This would include plans for mining, processing, disposal of waste products (tailings and waste rock), water use, and wastewater management during operations and closure. This also includes plans for the road, pipeline and the port site.
- All results and analysis of subsistence and traditional knowledge surveys
- We would like to receive any QA/QC results for data provided.
- We would like to receive any digital elevation model produced and a list of products produced from LIDAR collected in the Bristol Bay Watershed.